

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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CHARLES LANGONE, as FUND MANAGER )  
of the NEW ENGLAND TEAMSTERS AND )  
TRUCKING INDUSTRY PENSION FUND )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
EAGLE GRAPHICS, INC. and )  
JOSEPH BENDER, in his capacity as President )  
of Eagle Graphics, Inc. )  
 )  
Defendants, )  
 )  

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C.A. No. 04-12509 DPW

**MOTION FOR APPROVAL OF TRUSTEE PROCESS  
TO ATTACH BANK ACCOUNT**

Now comes the Plaintiff in the above entitled matter and moves for approval of trustee process to attach the goods, effects, or credits of the Defendant in the amount of \$229,537.62, now in the hands and possession of Bank of America, Boston, MA. The reasons supporting this motion are set forth in the attached memorandum and affidavits. A draft Order and Summons to Trustee are attached hereto.

Dated: April 13, 2006

For the Plaintiff,

Catherine M. Campbell  
BBO #549397  
Renee J. Bushey  
BBO #629444  
Feinberg, Campbell & Zack, P.C.  
177 Milk Street  
Boston, MA 02109  
(617) 338-1976

/S/ Catherine M. Campbell  
Attorney for Plaintiff

Certificate of Service

I, Catherine M. Campbell, hereby certify that I caused a copy of the foregoing to be hand-delivered this day to Laurence Donoghue, Esq., Morgan, Brown & Joy, LLP, 200 State Street, 11th Floor, Boston, MA 02109-2605 and mailed this day by U.S. first-class mail to Bank of America, Legal Order Processing Dept., NY7-501-02-07, 5701 Horatio Street, Utica, NY 13502.

Date: April 13, 2006

/s/Catherine M. Campbell  
Catherine M. Campbell

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C.A. No. 04-12509 DPW

**ORDER OF APPROVAL OF  
ATTACHMENT ON TRUSTEE PROCESS**

This cause came on to be heard upon a motion for an order of approval of attachment on trustee process on Trustee Bank of America, and upon consideration thereof, this Court hereby finds that there is a reasonable likelihood that the plaintiff will recover judgment, including interest, liquidated damages, fees and costs, in the amount of \$229,537.62 as against Defendant Eagle Graphics, Inc., and such amount being over and above any liability insurance known or reasonably believed to be available.

WHEREUPON the court hereby approves attachment on trustee process on Trustee Bank of America in the amount of \$229,537.62, subject to all applicable exemptions and limitations provided by law.

Dated:

\_\_\_\_\_  
Judge

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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of the NEW ENGLAND TEAMSTERS AND )  
TRUCKING INDUSTRY PENSION FUND )

Plaintiff, )

v. )

EAGLE GRAPHICS, INC and )  
JOSEPH BENDER, in his capacity as President )  
of Eagle Graphics, Inc. )

Defendants, )

and )

BANK OF AMERICA )

Trustee. )

C.A. No. 04-12509 DPW

**SUMMONS TO TRUSTEE**

To the above-named Trustee:

You are hereby summoned and required to file, within 20 days after service of this summons upon you, exclusive of the day of service, a disclosure under oath of what goods, effects or credits, if any, of the defendant are in your hands or possession at the time of the service of this summons upon you which may be taken on execution as the plaintiff New England Teamsters and Trucking Industry Pension Fund of One Wall Street, Burlington, MA, whose attorney is Catherine M. Campbell, Esq., of Feinberg, Campbell & Zack, P.C., may recover pursuant to a judgment entered against said defendant in the U. S. District Court for the District of MA, to the value of \$229,537.62. Such goods, effects, or credits are hereby attached. If you do not do so, judgment by default will be taken against you and you will be adjudged trustee as alleged.

If you are a trust company, savings bank, cooperative bank, credit union, national banking association, or any other banking institution doing business in the Commonwealth, and if the credits of the said defendant in your hands include an account or accounts in the name of any natural person, you are hereby notified that pursuant to Massachusetts General Laws, c. 246 § 28A, \$500 owned by the said defendant (if a natural person) are exempt from this attachment (a joint account to be treated for this purpose as if each depositor owned one-half of the amount thereof). No business, trust or organization shall be entitled to this exemption, and no natural person shall be entitled to more than a \$500 exemption at any one time.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Clerk of Court)

**PROOF OF SERVICE ON TRUSTEE**

I hereby certify and return that on \_\_\_\_\_,  
I served a copy of the within summons upon the within named trustee, in the following manner:

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name and title)

\_\_\_\_\_  
(Address)